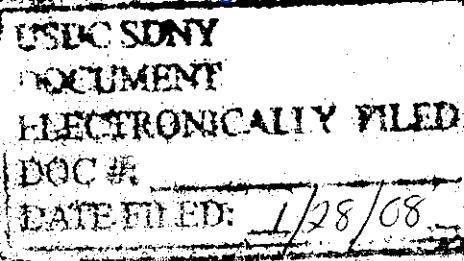


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
JONATHAN ELLIOTT, :

Plaintiff, :



-against- :

ALLSTATE INVESTIGATIONS, INC., :
GEORGE CAMPOS, PATRICK A. BOMBINO :
& JOHN DOES #1-10, JOINTLY AND :
SEVERALLY, :

Defendants. :

----- x

ORDER OF DISMISSAL ON CONSENT

ANDREW J. PECK, United States Magistrate Judge:

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, that plaintiff may reinstate the action within 15 days hereof if the settlement is not fully effectuated. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York
January 28, 2008



Andrew J. Peck
United States Magistrate Judge

Copies by fax & ECF to: William C. Rand, Esq.
Patrick Bombino (Regular & Certified Mail)
Judge Denise L. Cote

LAW OFFICE OF WILLIAM COUDERT RAND

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VIA FAX 212-805-7933

Honorable Andrew J. Peck
United States Magistrate Judge
United States District Court
500 Pearl Street, Room 1370
New York, New York 10007

Re: Elliot v. Allstate, 07 Civ. 6078 (DC)

Dear Honorable Judge Peck:

I represent Plaintiff Jonathan Elliot and am writing to request that the settlement conference scheduled for February 1, 2008 at 10:00 a.m. be adjourned as the parties have settled the case in principle and are in the process of finalizing the settlement.

Respectfully,



William C. Rand

cc:

Allstate Investigations, Inc., George Campos and Patrick Bombino
c/o Judd Bank, phone: 732-320-5811; fax: 718-621-0451

